

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application No.: 10/673,088 Filed: September 26, 2003

Inventor(s):

Michael A. Wasserman, Ewa M. Kubalska, Nathaniel David Naegle, Brian D. Emberling, Paul R. Ramsey and Mark E. Pascual

Title: LARGE-KERNEL

CONVOLUTION USING MULTIPLE INDUSTRY-STANDARD GRAPHICS ACCELERATORS

Examiner:

Unknown

Group/Art Unit: 3676

Atty. Dkt. No:

5681-59600

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Mark K. Brightwell
Printed Name

k K. Brijkhvell Signature

Date

STATEMENT OF FACTS

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Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

- 1. I, Mark K. Brightwell, hereby state the following facts of which I have personal knowledge. The following facts are stated in support of the Petition under 37 C.F.R § 1.47 submitted herewith in regard to the above-reference patent application.
- 2. On September 26, 2003, our firm filed the above-referenced application without an inventor declaration.
- 3. On January 20, 2004, I sent an email, attaching a copy of the above-referenced application as filed and a declaration form, to Mr. Pascual at his last known email address (melmerp@yahoo.com), requesting signature and return of the declaration form no later than February 5, 2004. Mr. Pascual did not respond to this email and did not return the declaration form. Attached hereto as **Exhibit A** is a copy of the email that I sent to Mr. Pascual.

- 4. On February 2, 2004, I mailed a letter, attaching a declaration form, to Mr. Pascual at his residence address (1593 Birchmeadow Ct., San Jose, CA, 95131), requesting signature and return of the declaration form "as soon as possible". Mr. Pascual did not respond to this mailing and did not return the declaration. Attached hereto as **Exhibit B** is a copy of the letter that I mailed to Mr. Pascual.
- 5. On February 17, 2004, I called Mr. Pascual's home telephone number (408-398-1625). Mr. Pascual's answering machine answered the call. I left a voice message on the answering machine requesting that Mr. Pascual contact me or return the declaration. Mr. Pascual did not return this call and did not return the declaration. Attached hereto as **Exhibit C** is an excerpt from our telephone billing records indicating the date and duration of this call as well as the call mentioned in item 6 below.
- 6. On February 26, 2004, I called Mr. Pascual's home telephone number (408-398-1625). Mr. Pascual's answering machine answered the call. I left a voice message on the answering machine requesting that Mr. Pascual contact me or return the declaration. Mr. Pascual did not return this second call and did not return the declaration.
- 7. On March 15, 2004, I mailed via certified mail a letter, attaching a declaration form, to Mr. Pascual's residence address. In this letter, I requested that Mr. Pascual return the declaration form "as soon as possible". Attached hereto as **Exhibit D** is a copy of this letter. As indicated in **Exhibit E** attached hereto, the U.S. Postal Service left a notice of this mailing with Mr. Pascual (on March 17, 2004) and has initiated a return of this mailing to the sender on April 2, 2004 because it was not claimed by Mr. Pascual.
- 8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Mark K. Brightwell

Mark K. Brightwell Reg. No. 47,446 AGENT FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. P.O. Box 398 Austin, TX 78767-0398

Phone: (512) 853-8800

Date: April 5, 2004

Exhibit A

Jeannie Miranda

From:

Mark Brightwell

Sent:

Tuesday, January 20, 2004 9:33 AM

To:

'mikewasserman@alumni.calpoly.edu'; 'ewaartur@yahoo.com'; 'ewmk@comcast.net';

'paul.ramsey@sun.com'; 'melmerp@yahoo.com'

Cc:

James Cook; Jeff Hood; Mark Brightwell; Jeannie Miranda

Subject:

Please Sign Formal Papers (5681-59600 Large-Kernel Convolution)

Hello Inventors,

Please confirm receipt of this email (as I'm not entirely sure that these email addresses are still valid).

This is to let you know we filed the patent application entitled "Large-Kernel Convolution Using Multiple Industry-Standard Graphics Accelerators" (5681-59600) on 9/26/03. Below I have attached the formal papers (including an Assignment form and a combined Declaration and Power-of-Attorney form) for your signature.





ASSIGN.59600.pdf DEC&POA.59600.p

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For your convenience, here's another copy of the application and figures.

Please sign and send these formal papers to us no later than February 5, 2004.





5681-59600 8-10 Draft Applica...

Figs. 1-18.pdf

This application describes and claims the inventions disclosed in SUN disclosures P8993 and P8994:

P8993 Hardware for Large-Kernel Convolution Using Multiple Industry-Standard Graphics Accelerators

P8994 Methods for Combining Commodity Graphics Cards for Multisampling.

If the application meets with your approval, please sign the formal papers and mail them to us via ordinary U.S. mail.

Thanks,

Mark Brightwell

Patent Agent

Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. 700 Lavaca, Suite 800, Austin, Tx 78701-3102

Direct Dial: (512) 853-8823 Facsimile: (512) 853-8801

Email: mbrightwell@intprop.com

NOTICE: The information contained in this electronic mail message and any accompanying files is intended only for the personal and confidential use of the designated recipients. This message may be an attorney-client communication, and as such is privileged and confidential. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error, and that any review, dissemination, distribution or copying of this message is strictly prohibited. If you have received this communication in error, please notify me immediately by telephone (512.853.8800) and electronic mail mbrightwell@intprop.com. Thank you.

Exhibit B



700 LAVACA, SUITE 800 AUSTIN, TEXAS 78701-3102 TELEPHONE (512) 853-8801 FACSIMILE (SI2) 853-8801 www.intprop.com

PATENTS, TRADEMARKS, COPYRIGHTS & UNFAIR COMPETITION

Mark K. Brightwell (512) 853-8823 mbrightwell@intprop.com

File: 5681-59600 Combined P8993 & P8994

February 2, 2004

Mark E. Pascual 1593 Birchmeadow Ct. San Jose, CA 95131

RE: "LARGE-KERNEL CONVOLUTION USING MULTIPLE INDUSTRY-

STANDARD GRAPHICS ACCELERATORS" – Wasserman, et al. (Our Ref. No.: 5681-59600; Sun Ref. No.: Combined P8993 & P8994)

Dear Michael:

Enclosed for your signature are an Assignment and a Declaration and Power of Attorney for the above-identified patent application filed with the U.S. Patent and Trademark Office on September 26, 2003. Please sign and return these documents to us as soon as possible. You may fax a copy to us at 512-853-8801 and send the original by mail.

Please let me know if you have any questions or comments.

Very truly yours,

Mark K. Brightwell

Mark K. Brythwell

JCH/jam Enclosures

EXHIBIT C

| Account | Service Identifier | Date | Time | From Place To Place | | Area Code/Number Duration (MM:SS) | Duration (MM:SS) |
|------------|--|-----------|---------|---------------------|------------|-----------------------------------|------------------|
| 1-788-7958 | 171-788-7958 936 Acct/Auth Code 51815960 17-Feb-04 3:37 PM AUSTIN, TX SAN JOSE, CA | 17-Feb-04 | 3:37 PN | A AUSTIN, TX SA | AN JOSE,CA | 408 398-1625 | 1:09 |
| 1-788-7958 | 171-788-7958 936 Acct/Auth Code 56815960 26-Feb-04 9:57 AM AUSTIN, TX SAN JOSE, CA | 26-Feb-04 | 9:57 AN | A AUSTIN, TX SA | | 408 398-1625 | 1:18 |



Exhibit D

700 LAVACA, SUITE 800 AUSTIN, TEXAS 78701-3102 TELEPHONE (512) 853-8801 FACSIMILE (512) 853-8801 www.intprop.com

PATENTS, TRADEMARKS, COPYRIGHTS & UNFAIR COMPETITION

Mark K. Brightwell (512) 853-8823 mbrightwell@intprop.com File: 5681-59600 Combined P8993 & P8994

March 15, 2004

CERTIFIED MAIL RETURN RECEIPT REQUESTED No. 7099 3220 0003 8695 9462

Mark E. Pascual 1593 Birchmeadow Ct. San Jose, CA 95131

RE: "LARGE-KERNEL CONVOLUTION USING MULTIPLE INDUSTRY-

STANDARD GRAPHICS ACCELERATORS" – Wasserman, et al. (Our Ref. No.: 5681-59600; Sun Ref. No.: Combined P8993 & P8994)

Dear Michael:

Enclosed for your signature are an Assignment and a Declaration and Power of Attorney for the above-identified patent application filed with the U.S. Patent and Trademark Office on September 26, 2003. Please sign and return these documents to us as soon as possible. You may fax a copy to us at 512-853-8801 and send the original by mail.

Please let me know if you have any questions or comments.

Very truly yours,

Mark K. Brightell

Mark K. Brightwell

MKB/jam Enclosures

Exhibit D Continued

| | U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided) | | | | |
|----------|---|-----------|------------------|--|--|
| ru I | Article Sent To: | | | | |
| 145 | 5693H 588600 9516H 1 am | | | | |
| | | 0.83 | UNIT ID: 0130 | | |
| 75 | Postage | | - | | |
| 9- | Certified Fee | 2.30 | | | |
| | Return Receipt Fee | 1.75 | Postmark Here | | |
| 220 0003 | (Endorsement Required) | | Clerk: KGKRCG | | |
| | Restricted Delivery Fee (Endorsement Required) | | 50 AUS | | |
| | Total Postage & Fees | \$ 4, 888 | 15/ | | |
| | Name (Please Print Clearly) (To be comple of by maller) | | | | |
| m | Mark F. Pascual 101 | | w/ ///// | | |
| • | Street Ant No.: or PO Box No. | | | | |
| 7099 | 1593 Birchmedou Ct. YOLNAN | | | | |
| 7 | City, State, ZIP+4 Sen Juse, CA 95131 Sen Reverse for Instructions | | | | |
| | PS Form 3800, July 1999 See Reverse for Instructions | | | | |



Exhibit E

Track & Confirm

Shipment Details

You entered 7099 3220 0003 8695 9462

Your item was returned to the sender on April 02, 2004 because it was not claimed by the addressee.

Here is what happened earlier:

- NOTICE LEFT, March 17, 2004, 1:45 pm, SAN JOSE, CA 95131
- ACCEPTANCE, March 15, 2004, 6:00 pm, AUSTIN, TX 78701

Notification Options

Track & Confirm by email

What is this?





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